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13 **IN THE UNITED STATES DISTRICT COURT**
14 **DISTRICT OF OREGON**
15 **MEDFORD DIVISION**
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17 TAMIE RICHARDSON,
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20 Plaintiff,
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22 vs.
23 First Horizon Home Loan Corporation,
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26 Defendants.
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29 Case No. 10-03073
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32 **MOTION TO COMPEL DISCOVERY**
33 Pursuant to Fed. R. Civ. P. 37
34 **ORAL ARGUMENT REQUESTED**
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37 **CERTIFICATE OF COMPLIANCE WITH LR 7.1**
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40 Counsel for Defendant certifies that he has conferred in good faith with Plaintiff regarding the
41 issues presented by this motion. Plaintiff has made any communication with Defendant extremely
42 difficult, since Plaintiff refuses to communicate orally, and even communications by email take a day
43 before any response. It appears that Plaintiff relies on undisclosed legal advisors. The parties were
44 unable to resolve the issues addressed in this motion during conferral.
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47 **MOTION**
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49 Pursuant to Rule 37, Defendant respectfully moves the Court for an order compelling Plaintiff
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51 1. to make all the disclosures required by Rule 26(a); and
52 2. to require Plaintiff to answer questions in her own deposition,
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Motion in Compel - 1

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3 3. to disclose the party or parties that prepare Plaintiff's pleadings and/or who provide legal advice
4 to Plaintiff

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6 or to provide appropriate sanctions, including but not limited to an order to exclude any evidence or
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8 witnesses from trial not previously disclosed by Plaintiff, Defendants fees and costs for bringing this
9 motion and any other order the court deems appropriate.
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14 This motion is made on the grounds that despite repeated requests Plaintiff has provided no documents
15 to support her claims, nor the names of any parties that could support Plaintiffs claims. Defendant
16 therefore was forced to request Plaintiff's deposition. In response to inquiries regarding an available
17 date, Plaintiff has insisted that she will not answer any questions unless all questions are submitted to
18 her in writing. Defendant is unable to prepare a proper defense unless Plaintiff provides the evidence
19 upon which her complaint relies. Defendant further believes that there are no good faith factual
20 disputes, but that this Complaint is solely based on Plaintiff's legal presumptions. However, unless
21 Defendant is allowed to question Plaintiff it is impossible to determine what factual disputes there are.
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35 DATED November 8, 2010
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37 McCarthy & Holthus, LLP
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39 /s/ *Holger Uhl*

40 By _____

41 Holger Uhl, Of the Firm
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43 Attorneys for First Horizon Home Loan
44 Corporation
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Motion in Compel - 2

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 8, 2010, I served a copy of the foregoing on CM/ECF Registered Participants as reflected on the Notice of Electronic Filing:

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Additionally, a copy of the foregoing was served on the following parties by first class mail, postage prepaid, addressed to:

Tamie Richardson
746 Bailey Drive
Grants Pass, OR 97527

/s/ *Holger Uhl*

Holger Uhl